

MAY - 4 2007

UNITED STATES DISTRICT COURT

Michael N. Milby Clerk

SOUTHERN

DISTRICT OF

TEXAS

UNITED STATES OF AMERICA
V.

CRIMINAL COMPLAINT

Case Number: *11-07-2284-M*

Robin Neal Whiteley (MX)
1974
A90 888 003

I, Joel JuVette, the undersigned complainant state that the following is true and correct to the best of my

Knowledge and belief. On or about April 28, 2007 in Hidalgo County, in
(Date)
the Southern District of Texas Defendant(s) did,

Being then and there an alien who had previously been deported from the United States to the United Mexican States in
pursuance of law, and thereafter was found near McAllen, Texas, within the Southern District of Texas, the Attorney
General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication
by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326.

I further state that I am a(n) Special Agent And that this complaint is based on the
Official Title
following facts:

See Attachment "A"

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved
T. J. Ormsby
U.S. Attorney

Joel JuVette
Signature of Complainant

Joel JuVette
Printed Name of Complainant

Sworn to before me and signed in my presence,

May 4, 2007
Date

at McAllen, Texas
City and State

U.S. Magistrate Judge Peter Ormsby
Name and Title of Judicial Officer

Peter Ormsby
Signature of Judicial Officer

Attachment "A"

On April 28, 2007, at approximately 7:00 P.M., U.S. Immigration and Customs Enforcement (ICE), Office of the Assistant Special Agent in Charge (ASAC) McAllen, TX Special Agent (SA) Joel JuVette received a request for assistance from the McAllen, TX Police Department (PD) regarding an individual named Robin Neal WHITELEY. According to the McAllen, TX PD, WHITELEY had been arrested for Possession of a Controlled Substance. Further records checks conducted by the McAllen, TX PD revealed that WHITELEY was a previously deported criminal illegal alien.

Immigration records checks conducted on WHITELEY by SA JuVette revealed that WHITELEY had been removed from the United States to Mexico on three previous occasions: 1) July 1, 2002 through Hidalgo, Texas, 2) April 19, 2005 through Brownsville, Texas and 3) February 12, 2007 through Brownsville, Texas. Prior to deportation, WHITELEY was not instructed to return to the United States without permission from the U.S. Attorney General and/or Secretary of Homeland Security.

Criminal history records checks on WHITELEY by SA JuVette revealed the following:

- 1) On July 19, 1995, WHITELEY was convicted in the Criminal Court at Law #2, Lufkin, Texas for the offense of Assault Bodily Injury. WHITELEY was sentenced to one year probation.
- 2) On April 1, 1997, WHITELEY was convicted in the Criminal Court at Law #1, Lufkin, Texas for the offense of Violation of a Protective Order. WHITELEY was sentenced to 120 days jail.
- 3) On April 1, 1997, WHITELEY was convicted in the Criminal Court at Law #1, Lufkin, Texas for the offense of Assault Bodily Injury. WHITELEY was sentenced to one year probation.
- 4) On July 20, 2000, WHITELEY was convicted in the 105th District Court, Corpus Christi, Texas for the offense of Possession of Marijuana. WHITELEY was sentenced to three years probation.
- 5) On September 8, 2000, WHITELEY was convicted in the 159th District Court, Lufkin, Texas for the offense of Possession of Marijuana. WHITELEY was sentenced to four years imprisonment.